

RE-ENROLLED ORIGINAL

A RESOLUTION

16-797

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2006

To declare the sense of the Council in support of federal legislation amending the National Trails System Act to extend the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phase of this historic expedition.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of the Lewis and Clark National Historic Trail Extension Resolution of 2006".

Sec. 2. The Council of the District of Columbia finds that:

(1) The mission of the Lewis and Clark Trail Heritage Foundation is to preserve and enhance the Lewis and Clark National Historic Trail and to educate the public about the incredible journey of exploration led by Meriwether Lewis and William Clark.

(2) The mission began in Washington, D.C., with the acquisition of land known as the Louisiana Purchase by President Thomas Jefferson and his vision for the Corps of Discovery.

(3) The Corps of Discovery was commissioned to explore the breadth of the continent to the Pacific, to map and record their observations, to develop ties to the native populations, and to return with documentation of their observations.

(4) In January 1803, Captain Meriwether Lewis left the District of Columbia to begin preparations for this historic journey across the great American west.

(5) In December 1806, Captain Lewis returned to the District of Columbia to report to President Jefferson on the success of the expedition. Native American chiefs were part of the celebration following the expedition. Today, the Corps of Discovery's journey is celebrated, and preserved, in the Lewis and Clark National Historic Trail.

(6) This fascinating historic trail allows Americans and visitors to learn about American history, see the beauty and diversity of the trail's landscapes, and to walk in the footsteps of Meriwether Lewis and William Clark.

(7) While the trail stretches more than 3,700 miles to the Pacific coast and is the second longest of the 23 National Scenic and Historic Trails, there are important parts of this historic expedition that are not officially recognized, such as routes taken in preparation for the

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expedition and milestones in nearly a dozen states and the District of Columbia.

(8) The Lewis and Clark Trail Heritage Foundation, which emphasizes the preservation and study of the trail and the story of Lewis and Clark and the Corps of Discovery, supports recognition of a continuous trail across the country and the right to post the official trail sign - Two Captains Pointing the Way - throughout the expanded trail.

Sec. 3. It is the sense of the Council that the extension of the Lewis and Clark National Historic Trail from coast to coast would complete the story of the Lewis and Clark voyage of discovery and expose many more Americans, and visitors who traverse our country in the millions each year, to the educational and cultural aspects of the expedition, and that Congress should enact the Lewis and Clark National Historic Trail Extension Act of 2006, introduced on March 30, 2006 (H.R. 5053), or other such federal legislation extending the Lewis and Clark National Historic Trail.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution to the officers of both houses of Congress, to the committee chairs that have jurisdiction over District of Columbia affairs, to the chair of the House Committee on Resources, and to the Delegate to the House of Representatives from the District of Columbia.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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A RESOLUTION

16-824

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the reappointment of Mr. Michael J. Cobb to the Board of Accountancy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Accountancy Michael J. Cobb Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Michael J. Cobb
7816 Morningside Drive, N.W.
Washington, D.C. 20012
(Ward 4)

as a certified public accountant member of the Board of Accountancy, established by D.C. Official Code § 47-2853.06(b), for a term to end January 14, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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16-825

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the reappointment of Ms. Antonia Browning Smiley to the Board of Accountancy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Accountancy Antonia Browning Smiley Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Antonia Browning Smiley
2327 20th Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a certified public accountant member of the Board of Accountancy, established by D.C. Official Code § 47-2853.06(b), for a term to end January 14, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-826

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the reappointment of Mr. Donald F. Richardson to the Board of Accountancy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Accountancy Donald F. Richardson Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Donald F. Richardson
1630 Van Buren Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a certified public accountant member of the Board of Accountancy, established by D.C. Official Code § 47-2853.06(b), for a term to end January 14, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-827

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 8, 2006

To confirm the reappointment of Mr. Ernest T. Boykin, Jr., to the Board of Professional Engineering.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Professional Engineering Ernest T. Boykin, Jr. Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Ernest T. Boykin, Jr.
1523 Allison Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a consumer member of the Board of Professional Engineering, established by D.C. Official Code § 47-2853.06(e), for a term to end January 19, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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16-828

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the appointment of Ms. Beverly Rene McNeil the Board of Massage Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Massage Therapy Beverly Rene McNeil Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Beverly Rene McNeil
4808 Texas Avenue, S.E.
Washington, D.C. 20019
(Ward 7)

as a licensed massage therapist member of the Board of Massage Therapy, established by section 215 of the District of Columbia Health Occupations Revision Act of 1985, effective March 14, 1995 (D.C. Law 10-205; D.C. Official Code § 3-1202.15), completing the unexpired term of Clyde Dean Anderson, which will end October 29, 2006 and for a full 3-year term to commence thereafter ending October 29, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-829

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the appointment of Ms. Tamara Ayanna Foreman to the Board of Pharmacy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Pharmacy Tamara Ayanna Foreman Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Tamara Ayanna Foreman
4018 Q Street, S.E.
Washington, D.C. 20020
(Ward 7)

as a licensed pharmacist member of the Board of Pharmacy, established by section 208 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.08), replacing Margaret Ann Breakenridge, whose term ended March 12, 2005, for a term to end March 12, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-830

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the appointment of Ms. Jean D. Williams to the Board of Respiratory Care.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Respiratory Care Jean D. Williams Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Jean D. Williams
208 45 Street, N.E.
Washington, D.C. 20019
(Ward 7)

as a licensed respiratory therapist member of the Board of Respiratory Care, established by D.C. Official Code § 3-1202.14, replacing Vanessa A. Love, whose term ended July 17, 2001, for a term to end July 17, 2007.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-831

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the appointment of Ms. Mirna Patricia Amaya to the Board of Professional Counseling.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Professional Counseling Mirna Patricia Amaya Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Mirna Patricia Amaya
1725 Lanier Place, N.W., #26-D
Washington, D.C. 20009
(Ward 1)

as a licensed professional counselor member of the Board of Professional Counseling, established by 213 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.13), replacing Camille A. Clay, Ed.D., whose term ended July 1, 2005, for a term to end July 1, 2008.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-832

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 8, 2006

To confirm the reappointment of Ms. E'lois G. Waller to the Board of Funeral Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Funeral Directors E'lois G. Waller Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. E'lois G. Waller
1220 Aspen Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a licensed funeral director member of the Board of Funeral Directors, established by section 1002(b) of the Second Omnibus Regulatory Reform Amendment Act of 1998, effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.06), for a term to end March 1, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-833

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 7, 2006

To confirm the appointment of Ms. Amy Filmore Nassar to the Board of Nursing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Nursing Amy Filmore Nassar Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Amy Filmore Nassar, NP, CDE
1359 C Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a registered nurse midwife member of the Board of Nursing, established by section 204 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Official Code § 1202.04), completing the unexpired term of Connie M. Webster, which will end July 21, 2007.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-834

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved

October 7, 2006

To confirm the reappointment of Mr. Frank E. Gainer, III to the Board of Occupational Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Occupational Therapy Frank E. Gainer, III Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Frank E. Gainer, III
1447 Corcoran Street, N.W.
Washington D.C. 20009-3803
(Ward 2)

as a licensed occupational therapist member of the Board of Occupational Therapy, established by section 206 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.06), for a term to end April 16, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-835

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the reappointment of Ms. Lauren M. Rosenberg to the Board of Occupational Therapy.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Occupational Therapy Lauren M. Rosenberg Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Lauren M. Rosenberg
5431 Connecticut Avenue, N.W., #102
Washington, D.C. 20015
(Ward 3)

as a licensed occupational therapist member of the Board of Occupational Therapy, established by section 206 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1202.06), for a term to end April 16, 2009.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-836

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved
October 7, 2006

To confirm the reappointment of Ms. Mable L. Boatwright to the District of Columbia Boxing and Wrestling Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Mable L. Boatwright Confirmation Resolution of 2006".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Mable L. Boatwright
1501 6th Street, N.W.
Washington, D.C. 20001
(Ward 2)

as a member of the District of Columbia Boxing and Wrestling Commission, established by section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 5, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), for a term to end January 5, 2009.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-837

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency with respect to the need to protect the public safety by enacting provisions of the Omnibus Public Safety Amendment Act of 2006.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Omnibus Public Safety Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) Mayor Anthony Williams requested that the Omnibus Public Safety Amendment Act of 2006, passed on 2nd reading on October 3, 2006 (Enrolled version of Bill 16-247), be enacted on an emergency basis.

(b) The Committee on the Judiciary held public hearings on Bill 16-247 on May 31, 2005, June 30, 2005, and September 22, 2005, and marked it up on April 28, 2006. The Council had first reading on Bill 16-247 on June 6, 2006, and adopted it on final reading on October 3, 2006.

(c) The Omnibus Public Safety Emergency Amendment Act of 2006, effective July 19, 2006 (D.C. Act 16-445), is expected to expire on October 17, 2006.

(d) Since criminal acts passed by the Council are subject to a 60-day Congressional review period and Congress currently is out of session, Bill 16-247 is unlikely to become law until sometime in 2007.

(e) This emergency legislation is necessary to fill a gap in the legal authority that otherwise would exist between the expiration of D.C. Act 16-445 and the date when Bill 16-247 becomes law. Since gaps in legal authority for criminal provisions cannot be filled retroactively, it is imperative that the Council adopt this emergency.

(f) The protections afforded by the legislation protect the well-being and safety of the residents of the District of Columbia and are needed immediately.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Omnibus Public Safety Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-838

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency due to Congressional review with respect to the need to amend the Neighborhood Investment Act of 2004 to clarify its purposes, to authorize the Office of the Deputy Mayor for Planning and Economic Development to make grants and loans from the Neighborhood Investment Fund, to expand the commercial area in the Deanwood Heights target area, and to establish goals for certain target areas.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Neighborhood Investment Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Neighborhood Investment Act of 2004 ("Act") became effective March 30, 2004 .

(b) The Act states that monies received and credited to the Neighborhood Investment Fund shall be used to carry out the objectives of the Act, but there were no stated objectives in the Act.

(c) Target Areas #10, #11, and #12 have no stated goals that would allow for spending on any projects in these target areas.

(d) The Act does not authorize the making of loans and grants from the Neighborhood Investment Fund.

(e) On April 4, 2006, the Council passed Res.16-596, the Neighborhood Investment Act Spending Plan for Fiscal Year 2006 Resolution of 2006 ("Resolution") to approve the Mayor's spending plan to implement the Act for fiscal year 2006. Included in the Resolution were spending plans for projects for all target areas, including those project areas without stated goals.

(f) The Resolution also identified specific spending mechanisms such as loans and grants to be used to accomplish certain goals. Spending authorized by the Resolution cannot begin until the Act is amended to identify its objectives, to add stated goals to 3 of the 12 target areas, and to authorize the making of loans and grants from the Neighborhood Investment Fund.

(g) On July 11, 2006, the Council passed D.C. Act 16-468, the Neighborhood Investment Emergency Amendment Act of 2006, and on October 3, 2006 approved a temporary bill to be submitted to Congress. The emergency act is scheduled to expire on October 29, 2006, prior to

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the date that the temporary bill can complete Congressional review. This Congressional review emergency bill is necessary to prevent a gap in legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Neighborhood Investment Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-839

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Metro Bus Funding Requirement Act of 2004 to allow for the purchase of compressed natural gas vehicles or vehicles that meet or exceed current compressed natural gas standards by the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Metro Bus Funding Requirement Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Metro Bus Funding Requirement Act of 2004 mandated that the Washington Metropolitan Area Transit Authority ("WMATA") only purchase and operate compressed natural gas ("CNG") buses within the District of Columbia.

(b) Because more options exist today, the District's voting members of the WMATA Board of Directors were given the ability to vote for the purchase of vehicles that meet or exceed CNG natural gas standards as well CNG buses when the Council enacted the Metro Bus Funding Requirement Emergency Amendment Act, effective July 21, 2006 (D.C. Act 16-448; 53 DCR 6489) ("Emergency Act"). The Emergency Act expires on October 19, 2006.

(c) Had the Council not acted to amend this restrictive requirement, WMATA might not have been able to assign the best of its bus fleet to the District, which would have been a disservice to the countless District residents, and others, who travel by bus.

(d) In October 2006, the Council enacted the Metro Bus Funding Requirement Temporary Amendment Act, passed on 2nd reading on October 3, 2006 (Enrolled version of Bill 16-833), which must still complete Congressional review as required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until early next year.

(e) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Metro Bus Funding Requirement Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-840

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Anti-Drunk Driving Act of 1982 to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vehicle; Title 25 of the District of Columbia Official Code to revise the presumptions that shall be made based upon the amount of alcohol in a person's blood, urine, or breath while in the operation or physical control of a vessel or watercraft; the District of Columbia Government Comprehensive Merit Personnel Act of 1978; the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996; the Uniform Classification and Commercial Driver's License Act of 1990; the Motor Vehicle Safety Responsibility Act of the District of Columbia; the District of Columbia Traffic Act, 1925; and the District of Columbia Implied Consent Act to update the formula for determining a person's alcohol concentration as it pertains to the offense of driving while under the influence of liquor to reflect the measurements and ratios used by current technology; and to make conforming amendments to the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Anti-Drunk Driving Clarification Amendment Second Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Anti-Drunk Driving Clarification Emergency Amendment Act of 2006, effective July 31, 2006 (D.C. Act 16-469; 53 DCR 6764) ("Emergency Act"), created a system whereby there is a rebuttable presumption that drivers whose blood contained 0.05 grams or less per 100 milliliters of blood or per 210 liters of breath or 0.06 grams or less per 100 milliliters of urine are not under the influence; drivers whose blood contained more than 0.05 grams per 100 milliliters of blood or per 210 liters of breath or more than 0.06 grams per 100 milliliters of urine, but less than 0.08 grams per 100 milliliters of blood or per 210 liters of breath or less than 0.10 grams per 100 milliliters of urine, are neither presumed to be under the influence or not under the influence, but such evidence may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor.

(b) The Emergency Act also applied this same system of presumptions to the operation or physical control of a vessel or watercraft and made technical and conforming amendments in the District of Columbia Official Code and the District of Columbia Municipal Regulations to update the formula for determining a person's alcohol concentration as it pertains to the offense of being under the influence of liquor to reflect the measurements and ratios used by current technology.

(c) The Emergency Act will expire on October 29, 2006, and the Anti-Drunk Driving Clarification Amendment Act of 2006, passed on 2nd reading on October 3, 2006 (Enrolled version of Bill 16-463) ("Permanent Act"), which must still complete Congressional review as required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), is not projected to become law until early next year.

(d) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the Permanent Act is in effect.

Sec. 3. The Council of the District of Columbia has determined that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Anti-Drunk Driving Clarification Second Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-841

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Procurement Practices Act of 1985 to exempt procurement of natural gas and electricity from certain requirements of the act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Procurement of Natural Gas and Electricity Exemption Amendment Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) There existed an immediate need to amend the District of Columbia Procurement Practices Act of 1985 to exempt procurements of natural gas and electricity from certain requirements of the act, for the District government can obtain significant savings by using reverse auctions to procure electricity and natural gas. To accomplish these savings, the District must accept the price within 24 hours of the offering. Suppliers add a premium to the price for every day they must hold the price for the customer.

(b) In July 2006, the Council enacted the Procurement of Natural Gas and Electricity Exemption Emergency Amendment Act of 2006, effective July 12, 2006 (D.C. Act 16-410; 53 DCR 5769) ("Emergency Act"), to address the above-referenced issue. The Emergency Act expired on October 10, 2006.

(c) Temporary legislation, the Procurement of Natural Gas and Electricity Exemption Temporary Amendment Act of 2006, signed by the Mayor on July 18, 2006 (D.C. Act 16-452; 53 DCR 6497), was transmitted to Congress on July 28, 2006, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is currently not projected to become law until February 23, 2007.

(d) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is law.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Procurement of Natural Gas and Electricity Exemption Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-842

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Prevention of Child Abuse and Neglect Act of 1977 to include limited grant-making authority among the duties and powers of the Director of the Child and Family Services Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Child and Family Services Grant-making Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) There exists an immediate crisis regarding the provision of a continuum of child abuse and neglect services to children and families in the District of Columbia. The District is experiencing a large number of youth who are growing up in, and aging out of, the foster care system. In addition to lacking permanency, these youth are all too frequently without family connections, consistent foster parenting, or sufficient adult living skills. The development of a volunteer mentoring program will greatly help these youth maintain positive connections with an adult. Emergency grant-making authority will enable the Director to continue to issue grants to support the development of a volunteer-based mentoring program.

(b) To address this need, the Council has adopted emergency and temporary legislation. However, the Child and Family Services Grant-making Emergency Amendment Act of 2006, effective July 21, 2006 (D.C. Act 16-450), will expire October 19, 2006. The Child and Family Services Grant-making Temporary Amendment Act, passed on 2nd reading on October 3, 2006 (Enrolled version of Bill 16-839), is not projected to become law until later this year, or sometime in 2007.

(c) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Child and Family Services Grant-making Congressional Review Emergency Amendment Act of 2006 be adopted after a single reading.

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Sec. 4. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

16-843

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to establish tax and cost exemptions for the development project at 4100 Georgia Avenue, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Square 2910 Residential Development Stimulus Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The project at 4100 Georgia Avenue, N.W., will provide approximately 72 units of affordable housing along with ground-floor retail and below-grade parking.

(b) The 4100 Georgia Avenue, N.W., project requires resolution of its financing for underwriting purposes.

(c) The Square 2910 Residential Development Stimulus Emergency Act of 2006, effective July 31, 2006 (D.C. Act 16-471), will expire on October 29, 2006. The Square 2910 Residential Development Stimulus Temporary Act, passed on 2nd reading on October 3, 2006 (Enrolled version of Bill 16-863), is not projected to become law until later this year, or sometime in 2007.

(d) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Square 2910 Residential Development Stimulus Congressional Review Emergency Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16- 844

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency with respect to the need to approve a revised agreement for a payment in lieu of taxes and the issuance of bonds for the Department of Transportation project.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DOT PILOT Revision Emergency Declaration Resolution of 2006".

Sec. 2. To meet financing and construction schedules for the construction of a park on the Anacostia River waterfront, it is necessary that certain revisions be made to the Payment in Lieu of Taxes Revenue Bonds Department of Transportation Project Approval Resolution of 2006, adopted by the Council on June 6, 2006.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DOT PILOT Revision Emergency Approval Resolution of 2006 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16- 845

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To approve an eligible project and related matters pursuant to section 490 of the District of Columbia Home Rule Act and the Payments in Lieu of Taxes Act of 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DOT PILOT Revision Emergency Approval Resolution of 2006".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Anacostia Waterfront Initiative Infrastructure" means public infrastructure associated with public improvement projects of AWC in the following areas: Hilleast Waterfront/ Reservation 13, Poplar Point, Ward 7 Waterfront and Marvin Gaye Park, Anacostia Metro, Kingman Island and Heritage Island, South Capitol Street Waterfront, and Southwest Waterfront. For purposes of this paragraph, the foregoing project areas shall be defined as follows:

(A) Anacostia Metro means the rights in and around the existing Anacostia Metrorail Station, which includes the planned construction of a 500,000 square foot office building above the existing station.

(B) Hilleast Waterfront/Reservation 13 means the area bounded by 19th Street, S.E., Independence Avenue, S.E., the Congressional Cemetery, and the Anacostia River.

(C) Kingman Island and Heritage Island means Kingman Island and Heritage Island, both located in the Anacostia River, and any bridges, walkways, roads, or other transportation infrastructure that connect either island with each other or the shores of the Anacostia River.

(D) Ward 7 Waterfront and Marvin Gaye Park means the areas in Ward 7 bounded by Benning Road, the Anacostia Freeway, the District of Columbia boundary with the State of Maryland, and the Anacostia River, and Marvin Gaye Park, which runs along the main tributary for the Anacostia River in Ward 7 (Watts Branch).

(E) Poplar Point means the area located on the eastern shore of the Anacostia River bounded by the 11th Street Bridges, the Anacostia Freeway, Frederick Douglass Bridge, and the Anacostia River, which land will be transferred from the federal government to the District of Columbia for redevelopment by AWC.

(F) South Capitol Street Waterfront means the following areas:

(i) The land bounded by M Street, S.E., First Street, S.E., South Capitol Street, and the Anacostia River;

(ii) All land currently occupied by the District of Columbia Water and Sewer Authority that abut the Anacostia River;

(iii) All land bounded by Potomac Avenue, S.W., South Capitol

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Street, Fort McNair and the Anacostia River, except the area bounded by N Street, S.E., South Capitol Street S.E., Potomac Avenue, S.E., and First Street, S.E.; and

(iv) The parcels of land known for tax and assessment purposes as lots 801, 802 and 804, square 770.

(G) Southwest Waterfront means the area bounded by Maine Avenue, S.W., the CSX rail line, the Washington Channel, Fourth Street, S.W., and Fort McNair.

(2) "AWC" means the Anacostia Waterfront Corporation.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized and directed to be issued from time to time pursuant to this resolution.

(4) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

(5) "Council" means the Council of the District of Columbia.

(6) "DOT PILOT" means a PILOT derived from the DOT PILOT Area.

(7) "DOT PILOT Agreement" means the written agreement to be entered into by the District and the owner providing for payments in lieu of taxes for financing the project and for any other purposes authorized by the PILOT Act.

(8) "Development Costs" shall have the same meaning as in section 2(2) of the PILOT Act.

(9) "District" means the District of Columbia.

(10) "Financing costs" means issuance costs as defined in D.C. Official Code § 47-340.01(14).

(11) "Financing Documents" means the documents that relate to the financing, refinancing, or reimbursement of the costs of the project, as the term "financing documents" is defined in D.C. Official Code § 47-340.01(11), including any offering document, and any required amendments or supplements to any such documents.

(12) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

(13) "Infrastructure" means any public parks, waterfront amenities, streets, sidewalks, walkways, parking facilities, streetscapes, curbs and gutters, gas, electric, and water utilities, and other publicly owned infrastructure authorized to be financed pursuant to section 490 of the Home Rule Act.

(14) "Owner" means JBG Federal Center L.L.C., or any other person to which any portion of the DOT PILOT Area is transferred.

(15) "Payments in Lieu of Taxes" or "PILOT" shall have the same meaning as given the term in section 2(5) of the PILOT Act.

(16) "PILOT Act" means the Payments In Lieu of Taxes Act of 2004, effective April 5, 2005 (D.C. Law 15-293; D.C. Official Code § 1-308.01 *et seq.*).

(17) "PILOT Note" means a bond in an amount not to exceed \$140 million, as provided in section 5(a), to be issued to AWC to finance, refinance, and reimburse AWC for the costs of the project.

(18) "PILOT Period" means the period of time described in section 4(b).

(19) "Project" means:

(A) The Waterfront Park; and

(B) The Anacostia Waterfront Initiative Infrastructure.

(20) "Waterfront Park" means a waterfront park of approximately 5 acres and the infrastructure for public access to the waterfront park from Water Street, S.E., 2nd Street, S.E.,

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and 4th Street, S.E.

Sec. 3. Findings.

(a) The issuance of bonds is the most desirable financing mechanism for the project and the project is deemed to contribute to the health, education, safety and welfare of, or the creation of jobs for, the residents of the District, or to economic development of the District.

(b) The project will not be operated or held for profit and will be dedicated to the District. The project fulfills the public policy goals of the PILOT Act by attracting tourism and by improving the community, economy, and environment for the residents of the District. An ownership interest or profit participation is not practicable or desirable because the District would be forced to forego the benefits of the construction of public parks and infrastructure.

(c) Conventional or other forms of financing are not readily available for the project. While best efforts have been made to secure conventional and other alternative forms of financing, the costs to finance the project given the public infrastructure needs and historical uses of the land within the DOT PILOT Area render the project financially infeasible and impracticable.

(d) The PILOT payments to be made by the owner for the DOT PILOT Area shall be equal to the amounts that the owner would have paid in real estate taxes if the DOT PILOT Agreement not been executed.

Sec. 4. Establishment of DOT PILOT area; allocation of DOT PILOT; terms of DOT PILOT Agreement; approval of the execution of the DOT PILOT Agreement.

(a) There is hereby established the DOT PILOT Area, which shall consist of an 8-acre parcel of land in the southeast quadrant of the District that is currently under the control and jurisdiction of the United States of America, acting by and through the General Services Administration, is under contract to be sold to the owner, and is known for tax and assessment purposes as lot 802, square 770.

(b) The DOT PILOT Area shall be exempt from real property taxes during the PILOT Period, which shall begin on April 1, 2006 and continue through the later of:

(i) The end of the fiscal year 2022;

(ii) The final maturity date of the bonds issued to finance or otherwise assist the project; or

(iii) The date on which all of the bonds issued hereunder are paid or fully defeased and are no longer outstanding.

(c) During the PILOT Period, the owner shall make annual payments in lieu of taxes to the District with respect to the real property in the DOT PILOT Area in such amount as would have been paid in real property taxes under Chapter 8 of Title 47 of the District of Columbia Official Code based on assessments of the DOT PILOT Area conducted in accordance with the provisions of Chapter 8 of Title 47 of the District of Columbia Official Code as if such real property were subject to real property tax. Notwithstanding anything to the contrary herein, the owner shall have the right to challenge any assessment or reassessment of the DOT PILOT Area in accordance with the provisions of Chapter 8 of Title 47 of the District of Columbia Official Code and applicable PILOT Payments shall reflect the result of any such challenge. At the end of the PILOT Period, the DOT PILOT Area shall no longer be exempt from the District real property taxes and any real property within the DOT PILOT Area shall be subject to taxation in accordance with District law.

(d) The DOT PILOT Agreement provides as follows:

(1) The owner shall pay to the District as PILOT payments an amount equal to the amount of real estate taxes that the owner would be obligated to pay for the DOT PILOT Area in the absence of the DOT PILOT Agreement.

(2) The District shall issue bonds secured by the DOT PILOT to AWC.

(e) The DOT PILOT Agreement is hereby approved in substantially the form attached to this resolution and the DOT PILOT shall be paid in accordance with provisions of the DOT PILOT Agreement. The Mayor is hereby authorized to execute and deliver the DOT PILOT Agreement on behalf of the District. The Mayor is further authorized to execute and deliver on behalf of the District any amendments or supplements to the DOT PILOT Agreement that do not constitute a material change in the terms of the DOT PILOT Agreement

Sec. 5. Bond terms.

(a) The terms of the bonds are as follows:

(1) The bonds shall be issued in the form of a PILOT Note from the District to AWC, which bonds shall secure revenue bonds issued by AWC or otherwise applied to finance, refinance, or reimburse the project.

(2) The bonds shall be issued pursuant to the provisions of the Financing Documents.

(3)(A) The aggregate principal amount of the bonds shall not exceed \$140 million.

(B) The aggregate principal amount of the bonds, other than refunding bonds, to be issued hereunder, may be used as follows:

(i) The amount of \$40 million in 2006 dollars adjusted for inflation in net proceeds to fund a portion of the costs for the Waterfront Park and access to the Waterfront Park;

(ii) The amount of \$75 million in 2006 dollars adjusted for inflation in net proceeds to fund the portion of the costs for the Anacostia Waterfront Initiative Infrastructure; and

(iii) Financing costs for any series of bonds.

(C) Any portion of the DOT PILOT in excess of the amounts needed to fund either (i) principal, interest, reserves, redemption payments, premium, if any, and other costs associated with the bonds, or (ii) the costs of the project (as permitted pursuant to the DOT PILOT Agreement), shall be deposited annually into the General Fund of the District of Columbia.

(4) The final maturity of the bonds shall not exceed 15 years for any series of the bonds and the debt service on the bonds required to be paid in any year shall be structured in such manner that the debt service will not exceed in any year the amount of the DOT PILOT payment projected by the District to be received by the District during such year.

(b) The bonds may have any other terms and conditions consistent with this resolution, the PILOT Act, and the Financing Documents.

(c) The bonds shall contain a legend, which shall provide that the bonds shall be special obligations of the District, shall be nonrecourse to the District, shall not be a pledge of and shall not involve, the faith and credit or taxing power of the District (other than the PILOT or any other security authorized by the PILOT Act), shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

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(d) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of final form and content of the same. The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Payment and security.

(a) For the purpose of securing the payment of the bonds, the Chief Financial Officer shall establish an account to be designated as the DOT PILOT Fund. The Chief Financial Officer shall deposit into the DOT PILOT Fund all receipts from the DOT PILOT and from any taxes identified by any provision of District of Columbia law to be deposited into the DOT PILOT Fund.

(b) The District is hereby authorized and directed to pledge the funds on deposit in the DOT PILOT Fund as security for the payment of principal of, and premium, if any, on the bonds.

(c) The bonds shall be payable solely from the funds on deposit in the DOT PILOT Fund.

Sec. 7. Financial analysis.

The financial analyses attached to, and made a part of, this resolution, prepared by the Office of the Chief Financial Officer, is the financial analysis required by section 4(a)(1) (H) of the PILOT Act.

Sec. 8. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

16-846

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency with respect to the need to make funds available from the fiscal year 2006 Pay-As-You-Go contingency funds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Use of Pay-As-You-Go Funds for the Wilson Building Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Mayor has submitted to the Council a request to make available \$310,000 of the \$491,911 set aside as Pay-As-You-Go contingency funds pursuant to section 1011(a)(5) of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), to cover the cost of a maintenance contract for the Wilson Building, for which there is an immediate need to cover actual fiscal year 2006 expenditures.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Use of Pay-As-You-Go Funds for the Wilson Building Emergency Approval Resolution of 2006 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-847

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To approve, on an emergency basis, a \$310,000 expenditure of fiscal year 2006 funds from Pay-As-You-Go contingency funds for 2006 Wilson Building maintenance costs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Use of Pay-As-You-Go Funds for the Wilson Building Emergency Approval Resolution of 2006".

Sec. 2. (a) Pursuant to section 1011 of the Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503) ("Act"), the Council approves the expenditure of \$310,000 of the \$491,911 funds identified in section 1011(a)(5) of the Act for the Wilson Building maintenance contract to cover actual fiscal year 2006 costs.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Applicability.

This resolution shall apply as of September 29, 2006.

Sec. 5. This resolution shall take effect immediately.

A RESOLUTION

16-848

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 18, 2006

To declare the existence of an emergency with respect to the need to amend Titles 16 and 23 of the District of Columbia Official Code to create a rebuttable presumption for detaining certain adults and juveniles charged with robbery or certain handgun violations pending a trial or disposition hearing; to amend Chapter 25 of Title 24 of the District of Columbia Municipal Regulations governing the Metropolitan Police Department's Closed Circuit Television system to authorize its use in prevention, detection, deterrence, and investigation of crime; to amend Title 16 of the District of Columbia Official Code to require the Family Court of the Superior Court of the District of Columbia and the Director of the Department of Youth Rehabilitation Services to disclose specified information to the Chief of the Metropolitan Police Department; to amend the Fiscal Year Budget Support Act of 2006 to require that the Metropolitan Police Department maintain the total percent of sworn officers assigned to the police districts as existed on June 11, 2006; and to approve the expenditure of \$5 million for the implementation of the Mayor's Youth Development Strategy, \$4,241,953, to the Metropolitan Police Department for overtime, \$1,737,532 for the Metropolitan Police Department for Closed Circuit Television operations, \$191,687 to the Metropolitan Police Department for fuel, and \$1 million for the Department of Parks and Recreation for extended hours and increased staffing at recreation centers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Crime Reduction Initiative Emergency Declaration Resolution of 2006".

Sec. 2. (a) On July 21, 2006, the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006 (D.C. Act 16-446) was enacted in response to a rising tide of homicides, robberies, and assaults occurring throughout the District of Columbia.

(b) D.C. Act 16-446 expires on October 19, 2006.

(c) At the July 19, 2006 Additional Legislative Meeting of the Council, the Mayor testified to the need for the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006 ("D.C. Act 16-446").

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(d) At the urging of the Council, the Mayor voluntarily withdrew the Enhanced Crime Prevention and Abatement Temporary Amendment Act of 2006 from Council consideration, based on the concurrence that the provisions needed only to be in effect for 90 days. Had the Temporary Amendment Act not been withdrawn, it would have had first reading July 19, 2006, and had second reading sometime after the end of the Council summer recess.

(e) If the Council adopted the temporary legislation, it would have been able to continue the law enforcement measures contained in D.C. Act 16-446 by enacting a substantially identical emergency in October 2006. The Council and the Mayor did not do this because both believed that the increase in crime that necessitated adoption of these measures in July would have abated within the 90 days due to the anticipated effectiveness of the measures and because the start of the school year and the transition from summer to fall would render less acute the need for some of the measures. The Council and the Mayor believed that adoption of these law enforcement measures on a longer-term basis needed to be contemplated further and, if extended, needed to be coupled with a comprehensive approach directed at addressing longstanding problems generally giving rise to juvenile crime.

(f) In addition to being wary of enacting emergency law enforcement measures without having them more completely vetted through the normal legislative process, the Council was also fully cognizant of the long-standing legal precedent which limits the Council's enactment of consecutive, substantially identical emergency acts directed at the same emergency.

(g) D.C. Act 16-446 includes a number of provisions that give law enforcement officials important tools to reduce crime, such as: establishing curfew hours; ensuring that the police receive information about juvenile arrestees and juveniles adjudicated delinquent; creating a rebuttable presumption that some adults and juveniles under arrest should be detained pending a trial or disposition hearing; and authorizing the Metropolitan Police Department to purchase and install closed circuit television cameras to combat crime.

(h) While overall crime has been reduced since the enactment of D.C. Act 16-446, there have nevertheless been increases of certain violent crimes in some areas of the city, and violent crime remains at an unacceptable level. There were 7 fatal shootings in the District during the first 10 days of October.

(i) D.C. Act 16-446 was enacted during the Council's summer recess. Since then, the Council's Committee on the Judiciary has held or scheduled hearings on major aspects of that act: the use of closed circuit television cameras, authority for the Mayor to change curfew hours, and revisions to the law regarding a rebuttable presumption in favor of pre-trial detainment. Permanent bills incorporating these provisions, as well as the provision to require that information about juveniles be provided to the Metropolitan Police Department, are moving through the Council's normal legislative process.

(j) Additional tools are needed to address serious crime, including funding for the Mayor's Youth Development Strategy for youth violence prevention efforts, funding for police

ENROLLED ORIGINAL

overtime while the police department hires new officers to reach its newly authorized strength, and funding for closed circuit television cameras.

(k) The Crime Reduction Initiative Emergency Amendment Act of 2006 is substantially different than D.C. Act 16-446 and the basis for this emergency as set forth in this section is different. The Crime Reduction Initiative Emergency Amendment Act of 2006 will couple law enforcement measures needed to abate existing rates of crime with a comprehensive approach for addressing the root causes of juvenile crime through the implementation of violence-prevention strategies. It establishes authority critical to the continued operation of CCTV cameras now in place. It also provides funds for overtime needed for the Metropolitan Police Department to sustain increased levels of police officers on patrol during this critical time. These circumstances constitute a different emergency than that which the Council and Mayor sought to address in July 2006 with the enactment of D.C. Act 16-446.

(l) Without the law enforcement tools and funding for law enforcement and prevention efforts contained in the Crime Reduction Initiative Emergency Amendment Act of 2006, residents of the District of Columbia face the risk that crime will again return to its pre-July 2006 crime emergency levels.

Sec. 3. The Council of the District of Columbia has determined that the circumstances enumerated in section 2 constitute new emergency circumstances since the adoption of D.C. Act 16-446, making it necessary that the Crime Reduction Initiative Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.